CLCON No. 215 of 2005

Hon. P.C. Pant, J.

Heard Mr. Jagdish Singh Bisht, Advocate holding brief of Mr. Sharad Sharma, learned counsel for the petitioner and Mr. Subhash Upadhyaya, learned Standing Counsel for the respondents.

Counter affidavit filed on behalf of the respondents show that the appointment of the petitioner was a contractual appointment and he could have been given only consolidated salary which he is being paid. The direction of this Court of which disobedience has been complained directs that the minimum pay scale should be paid to the petitioner.

Learned Standing Counsel for the respondents submits that the minimum pay scale starts with Rs. 6,500/- while the consolidated salary is being paid at Rs. 7,000/-. It is further submitted that there is no sanctioned post of Computer Programmer, as such, there is no fixed pay scale for such post.

In the circumstances, it cannot be said that the respondents have committed any wilful disobedience of the order dated 21st March, 2005, passed in Writ Petition No. 5130 (S/S) of 2001 (old No. 31454 of 1994).

Accordingly, the petition is dismissed and notices issued against the respondents are discharged.

(P.C. Pant, J.)

Dt. 14.02.2006
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